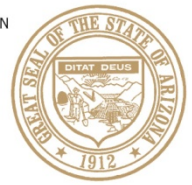




THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT

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PHOENIX, AZ 85086-5000
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GOVERNOR
JANET NAPOLITANO
COMMISSIONERS
CHAIRMAN, WILLIAM H. MCLEAN, GOLD CANYON
BOB HERNBRODE, TUCSON
JENNIFER L. MARTIN, PHOENIX
ROBERT R. WOODHOUSE, ROLL
NORMAN W. FREEMAN, CHINO VALLEY
DIRECTOR
LARRY D. VOYLES
DEPUTY DIRECTOR
VACANT
CHIEF OF STAFF
GARY HOVATTER



September 29, 2008

REVISION #1

A public meeting of the Arizona Game and Fish Commission will be held on October 10-11, 2008, and as authorized by A.R.S. § 17-201(D), the Commission will discuss and may vote to take action on the following matters:

Friday, October 10, 2008, Arizona Game and Fish Commission at the Department Headquarters Office 5000 W. Carefree Highway, Phoenix, AZ 85086.

Meeting begins at 8:00 a.m.

1. Executive Session

- a. Litigation and Legal Counsel.** The Commission may vote to meet in Executive Session in accordance with A.R.S. § 38-431.03(A)(3) and (4) for the purpose of discussing and consulting with legal counsel in order to consider its position and to instruct legal counsel regarding the Commission's position concerning *In re General Stream Adjudication for the Little Colorado River and Gila River; Wilderness Watch v. U.S. Fish and Wildlife Service CV-07-1185; Pruett v. Shroufe, 2:07-cv-01744-NVW; Turner notice of claim; Honie notice of claim.*
- b. Personnel Matters.** The Commission may vote to go into Executive Session to discuss personnel matters, including the Director's goals and objectives pursuant to A.R.S. § 38-431.01(A)(1). The Commission may decide this matter in the public meeting or defer a decision to a later date.

Pledge of Allegiance.

Awards and Commissioning of Officers.

- 2. Presenter: Terry B. Johnson, Endangered Species Coordinator. Commission Briefing on the Department's Involvement in Mexican Wolf Reintroduction in Arizona and New Mexico and Related Mexican Wolf Recovery and Conservation Issues.** Since the mid-1980s, operating under policy guidance from the Commission, the Department has been engaged with a variety of state, federal, tribal, and local government agencies in planning and conducting Mexican wolf reintroduction in east-central Arizona and west-central New Mexico and has been participating in efforts to revise the 1982 federal Mexican Wolf Recovery Plan. The Department will brief the Commission on progress toward the reintroduction project objective of establishing a Mexican wolf population in the Blue Range Wolf Recovery Area of Arizona and New Mexico and on the adjacent Fort Apache Indian Reservation. The briefing

will address Department and public concerns regarding Mexican wolf conservation, including reintroduction and recovery. The Commission may vote to reaffirm existing policy guidance and/or to provide new or additional policy guidance to the Department on Mexican wolf conservation efforts, including reintroduction and recovery.

3. **Litigation Report.** The Department's legal counsel may report on the status of the litigation matters: *In re General Stream Adjudication for the Little Colorado River and Gila River; Wilderness Watch vs. U.S. Fish; Wildlife Service CV-07-1185; and Pruett vs. Shroufe, 2:07-cv-01744-NVW*. The Commission may vote to take action on any case.
4. **Presenter: Anthony Guiles, Legislative Liaison. State and Federal Legislation.** The Commission will be briefed on the status of State and Federal legislation. The Commission may vote to take a position or provide direction to the Department for coordination, action, or proposed changes to legislation or other elective issues related to Department responsibilities.
5. **Presenter: Ty Gray, Assistant Director, Information and Education Division. Information and Education Activities Briefing.** The Commission will be given an update of Department activities and events related to Information and Education Programs. The update covers activities and events that have occurred since the September 2008 Commission meeting. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.
6. **Presenter: Josh Avey, Habitat Branch Chief. An Update on Current Issues, Planning Efforts, and Proposed Projects on All Lands in Arizona and Other Matters Related Thereto.** The Commission will be briefed on the latest developments relating to the implementation of land and resource management plans and projects on private, state and federal lands in Arizona and other matters related thereto. The update addresses decisions or activities since the September 2008 Commission meeting. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.
7. **Presenter: Larry D. Voyles, Director. Director's Goals and Objectives Update – 2008.** The Director will provide the Commission with an update on the progress of the approved goals and objectives for 2008. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.
8. **Call to the Public.** Those persons wishing to speak should complete a speaker's card and present it to the host. Unless prior approval has been granted by the Chairman, comments will be limited to no more than three minutes. No discussion or action will be taken by the Commission. Any items requiring further discussion or action will be included on a future Commission meeting agenda.

Lunch Break (Begins at 12:00 p.m.)

ITEM CHANGE

9. **Presenter: Gene Elms, Law Enforcement Branch Chief. Hearings on License Revocations for Violation of Game and Fish Codes and Civil Assessments for the Illegal Taking and/or Possession of Wildlife at Time Certain 2:00 p.m.** The Commission will

consider and take action on the license revocations and/or civil assessments for the individuals listed below.

<u>Name</u>	<u>Conviction</u>
Neubert, David A.	Count B: Possess elk without evidence of legality.
Smart, Joshua D.	Count A: Knowingly take bear during the closed season.
Scott, Benjamin (0073)	Count A: Possession of unlawfully taken Mountain Lion.
Scott, Benjamin (0074)	Count A: Possession of unlawfully taken Mountain Lion.
Scott, Benjamin (0075)	Count B: Possession of unlawfully taken Mountain Lion.
Scott, Benjamin (0076)	Count C: Possession of unlawfully taken Mountain Lion.
Ispen, Bradley	Failure to comply with terms of citation for wildlife violation of outfitting and guiding without lic/employ unlicensed guide during closed season hunt/ attempt to take during.
Denz, Vaughn M.	Count A: take big game during closed season (javelina). Count B: take big game without a permit tag (javelina). Count C: possession of unlawfully taken big game (javelina).
Humphries, William E.K.	Count A: take bull elk with antlerless tag. Count C: use tag of another.

10. Presenter: Jen Stewart, Rules and Risk Manager. Request to Approve the Article 1 Five-Year Rule Review Report on Definitions and General Provisions for Filing with the Governor's Regulatory Review Council. The Commission will be asked to vote to approve the Five-Year Rule Review Report on Commission Rules in Article 1, dealing with definitions and general provisions, for filing with the Governor's Regulatory Review Council under A.R.S. § 41-1056.

11. Presenter: Jen Stewart, Rules and Risk Manager. Request to Approve a Notice of Docket Opening and a Notice of Proposed Rulemaking to Amend Article 6 Rules addressing Rules of Practice Before the Commission. The Commission will be asked to vote to approve a Notice of Docket Opening and a Notice of Proposed Rulemaking to amend Article 6 rules, addressing rules of practice before the Commission. The notice will be submitted to the Secretary of State's Office for publication in the *Arizona Administrative Register*.

12. Call to the Public. Those persons wishing to speak should complete a speaker's card and present it to the host. Unless prior approval has been granted by the Chairman, comments

will be limited to no more than three minutes. No discussion or action will be taken by the Commission. Any items requiring further discussion or action will be included on a future Commission meeting agenda.

Saturday, October 11, 2008, Arizona Game and Fish Commission at the Department Headquarters Office 5000 W. Carefree Highway, Phoenix, AZ 85086.

Meeting begins at 8:00 a.m.

Pledge of Allegiance.

Awards and Commissioning of Officers.

- 1. Presenter: Kirk Young, Fisheries Branch Chief. Request to Amend Commission Order 40: Fish, Concerning Specific Proposals for Bag and Possession Limits, Special Regulations, and Specific Closures for Sport Fishing for calendar year 2009 and 2010.** The Commission will be asked to vote to adopt Commission Order 40: Fish, establishing open seasons, open areas, closures and bag and possession limits for calendar year 2009 and 2010.

ADDITIONAL ITEM

- a. Presenter: Kirk Young, Fisheries Branch Chief. Salt River Reservoirs Golden Alga Action Plan Update and Commission Order 40 Recommendations for Saguaro, Canyon, and Apache Reservoirs.** The Commission will be provided an update on the Salt River Reservoirs Golden Alga Action Plan and will be provided recommendations for changes to Commission Order 40: Fish, establishing open seasons, open areas, and bag and possession limits for calendar year 2009 and 2010 at Saguaro, Canyon, and Apache Reservoirs. The Commission may vote to take action or provide the Department further direction on these items.
- 2. Presenter: Jay Cook, Education Branch Chief, Information and Education Division. Statewide Shooting Range Briefing.** The Commission will be given an update of Department activities related to shooting range support and development statewide. The update covers activities that have occurred since the September 2008 Commission meeting. The Commission may vote to take action on, or provide the Department direction on, items covered in the update.
- 3. Presenter: Ty Gray, Assistant Director, Information and Education Division. Adobe Mountain Wildlife Rehabilitation Center Relocation.** The Commission will be provided a briefing on the cost estimates to move the Adobe Mountain Wildlife Center to the Deer Valley South Property and the real costs for individual animal enclosures. The Commission may vote to take action on, or provide the Department direction on this item.
- 4. Presenter: Jen Stewart, Rules and Risk Manager. Petition from Mr. Richard Hobson of Globe, Arizona for revision of rule language R12-4-524.** Petition from Mr. Richard Hobson of Globe, Arizona requesting that the Commission consider and vote to modify rule

language in the recently revised rule R12-4-524, Water Skiing, to eliminate the 12 year old minimum age requirement to be an observer.

5. **Call to the Public.** Those persons wishing to speak should complete a speaker's card and present it to the host. Unless prior approval has been granted by the Chairman, comments will be limited to no more than three minutes. No discussion or action will be taken by the Commission. Any items requiring further discussion or action will be included on a future Commission meeting agenda.
6. **Presenter: Eric S. Gardner, Nongame Branch Chief. Request to Adopt Commission Order 25: Raptors.** The Commission will be asked to vote to adopt Commission Order 25: Raptors, establishing open areas, season dates, and bag and possession limits for 2009 and 2010, as proposed by the Department.
7. **Presenter: Eric S. Gardner, Nongame Branch Chief. Request to Adopt Commission Order 41: Amphibians.** The Commission will be asked to vote to adopt Commission Order 41: Amphibians, establishing open areas, season dates, and bag and possession limits for 2009 and 2010, as proposed by the Department.
8. **Presenter: Eric S. Gardner, Nongame Branch Chief. Request to Adopt Commission Order 42: Crustaceans and Mollusks.** The Commission will be asked to vote to adopt Commission Order 42: Crustaceans and Mollusks, establishing open areas, season dates, and bag and possession limits for 2009 and 2010, as proposed by the Department.
9. **Presenter: Eric S. Gardner, Nongame Branch Chief. Request to Adopt Commission Order 43: Reptiles.** The Commission will be asked to vote to adopt Commission Order 43: Reptiles, establishing open areas, season dates, and bag and possession limits for 2009 and 2010, as proposed by the Department.
10. **Call to the Public.** Those persons wishing to speak should complete a speaker's card and present it to the host. Unless prior approval has been granted by the Chairman, comments will be limited to no more than three minutes. No discussion or action will be taken by the Commission. Any items requiring further discussion or action will be included on a future Commission meeting agenda.
11. **Director's and Chairman's Reports.** The Director and the Chairman will report on Department and Commission activities since the last meeting. This item will be informational only and no action will be taken at this meeting. If further discussion is necessary, those items requiring discussion may be placed on a future Commission meeting agenda.
12. **Commissioners' Reports.** The Commissioners will report on their activities since the last meeting related to Game and Fish Commission duties and responsibilities. This item will be informational only and no action will be taken at this meeting. If further discussion is necessary, those items requiring discussion may be placed on a future Commission meeting agenda.

13. Approval of Minutes and Signing of Minutes. The Commission will be asked to approve the Commission meeting minutes from the August 27-28, 2008 and September 5-6, 2008, and if approved, the signing of the minutes from the August 27-28, 2008 and September 5-6, 2008.

14. Future Agenda Items.

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The agenda may be revised and additional items may be added prior to the meeting as authorized by A.R.S. §38-431.02. In that event, an addendum to the agenda will be noticed and posted prior to the meeting at Department offices. Commission agenda items not noticed for a specific time may be taken out of order.

Background materials provided to Commission members concerning public agenda items are available for public inspection at the main office of the Arizona Game and Fish Department at 5000 W. Carefree Highway, Phoenix, at Department regional offices in Pinetop, Flagstaff, Kingman, Yuma, Tucson, Mesa and at the meetings.

During the public meeting, the Commission may afford any person, their duly authorized representative, or both, the opportunity to present statements relating to agenda items, with or without the opportunity to present them orally.

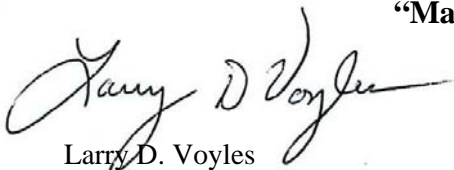
The Commission may go into Executive Session for the purpose of obtaining legal advice from the Commission Attorneys on any of the above agenda items pursuant to A.R.S. § 38-431.03 (A) (3) & (4).

One or more members of the Commission may appear and participate in the meeting telephonically or by other electronic means.

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, or this document in an alternative format, by contacting the AGFD Deputy Director, 5000 W. Carefree Highway, Phoenix, Arizona 85086, 602-942-3000. Requests should be made as early as possible to allow time to arrange the accommodation.

The Arizona Game and Fish Department is responsible for managing Arizona's fish and wildlife resource as an enduring public trust. In addition, the Department is charged with promoting safe and responsible use of watercraft and off-highway vehicles. Funding is provided from the sale of licenses and permits; watercraft registration fees; federal excise taxes on firearms, fishing equipment, boats, and other sporting goods; State lottery revenues; donations on State income tax forms; and various contracts and grants. Department policy is set by the Arizona Game and Fish Commission, whose five members are appointed by the Governor.

"Managing Today for Wildlife Tomorrow"



Larry D. Voyles
Director